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November 16, 2016

Hon. Brian M. Cogan  
United States Courthouse  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, NY 11201

Re: United States v. Ibrahim Suleiman Adnan Adam Harun  
Ind. 12 Cr. 134 (BMC)

Dear Judge Cogan:

Susan Kellman, Joshua Dratel, and I represent Adnan Harun in the above-referenced matter. I write to provide the Court and the government with notice that the defense intends to challenge the defendant's competence to proceed to trial pursuant to 18 U.S.C. § 4241. The primary expert we intend to rely on in doing so is Jess Ghannam, PhD. A copy of Dr. Ghannam's C.V. is attached.

On Monday, November 14, 2016 after one month waiting for clearance and SAM's Dr. Jess Ghannam conducted his first meeting with Mr. Harun at the Metropolitan Correctional Center. After meeting with Mr. Harun for approximately two hours, and based on prior reports from the jail, his review of documents related to this case, and his understanding of Mr. Harun's prior history it is Dr. Ghannam's preliminary opinion that Mr. Harun is not competent to proceed to trial.

Dr. Ghannam stresses that this is a preliminary opinion because he has not yet had sufficient time to meet with Mr. Harun, and he requires additional information which is in the possession of, or controlled by the government. Specifically, in order to form a fully informed opinion Dr. Ghannam needs access to:

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1. Additional information regarding the treatment of Mr. Harun while in custody in Libya
2. The opportunity to confer with mental health professionals in Italy who treated Mr. Harun with anti-psychotic medication.
3. The opportunity to discuss Mr. Harun's mental health prior to his incarceration in Libya with people who knew him and who are in U.S. custody

In addition, after reviewing this information Dr. Ghannam will need to consult with other experts, particularly experts on the effects of torture, in order to have sufficient information to render a final opinion.

Once we have received the above information we expect to be able to provide the government with a final opinion regarding Harun's competence and will be prepared to conduct a hearing should one be required.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "David Stern", is written over the typed name. The signature is stylized with a large, sweeping initial "D".

David Stern